

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2069

IN THE MATTER OF:

Served December 19, 1979

Application of AIRPORT LIMO, INC., )  
for a Certificate to Perform )  
Special Operations - Springfield )  
Hilton )

Case No. AP-79-12

By application filed July 24, 1979, Airport Limo, Inc., seeks a certificate of public convenience and necessity to transport guests and employees of the Springfield Hilton Hotel, 6550 Loisdale Court, Springfield, Va., in special operations, over irregular routes between the Springfield Hilton and the Capital Hilton Hotel, 16th and K Streets, N. W., Washington, D. C.

In Case No. AP-78-56, applicant requested authority to perform the same service in charter-pursuant-to-contract operations. By Order No. 2001, served June 6, 1979, such authority was denied because the service was, in fact, special operations and thus, beyond the scope of the application. The denial was without prejudice to the filing of a similar special-operations application.

By petition (letter) filed September 11, 1979, Airport Limo requested that, inasmuch as no protests to this application were filed, the Commission waive the public hearing scheduled in this proceeding, pursuant to Commission Rule 22-01, take official notice of the prior findings of fact made in Case No. AP-78-56, and make a determination on the existing evidence of record. In Order No. 2032, served September 11, 1979, the Commission cancelled the public hearing and took official notice of the evidence of record in the prior proceeding.

Evidence adduced at the hearing in Case No. AP-78-56 indicated the hotel's support for a service transporting guests and employees between the Springfield Hilton and the Capital Hilton Hotel, departing the Springfield Hilton at 7:30 and 8:30 in the morning and departing the Capital Hilton at 4:30 and 5:30 in the afternoon. The hotel asserts that the service is needed to offer guests easy access to the District

of Columbia, thereby enhancing its competitive position with hotels located in the city. It is presently using Airport Limo's service for intra-Virginia transportation (not subject to the Commission's regulation), and is satisfied with applicant's operations, and with the equipment it uses. The proposed rate structure is \$5 per passenger for a one-way trip.

The Compact, Title II, Article XII, Section 4(b), provides that a certificate of public convenience and necessity shall be issued by the Commission if it finds ". . . that the applicant is fit, willing, and able to perform such transportation properly and to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise, such application will be denied."

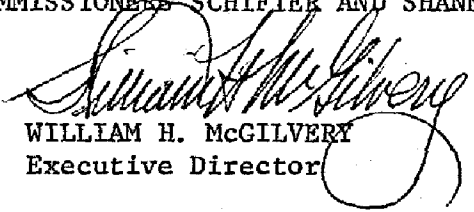
The Commission finds that applicant has sustained its burden of proof regarding the matter of need for service. No carrier has protested this application and none appears willing or able to supply the sought special-operations transportation. The evidence of record also establishes that Airport Limo has suitable equipment available, and that it is financially and otherwise fit to conduct the service authorized herein.

THEREFORE, IT IS ORDERED:

1. That Airport Limo, Inc., is hereby granted authority to transport guests and employees of the Springfield Hilton Hotel, in special operations, over irregular routes, between the Springfield Hilton Hotel, 6550 Loisdale Court, Springfield, Va., and the Capital Hilton Hotel, 16th and K Streets, N. W., Washington, D. C.
2. That Airport Limo, Inc., is hereby directed to file two copies of an appropriate WMATC tariff in accordance with the authority granted herein, such tariff to be effective upon acceptance by the Executive Director.
3. That upon compliance with the condition set forth in paragraph (2) above, a certificate of Public Convenience and Necessity shall be issued to Airport Limo, Inc.
4. That in the event Airport Limo, Inc., fails to comply with the directive set forth in paragraph (2) above within 30 days from the date of service hereof, or within such additional time as may be authorized by the Commission, the grant of authority made herein shall be considered

null and void and the application will stand denied in its entirety effective upon expiration of the said compliance time.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS SCHIFTER AND SHANNON:



WILLIAM H. MCGILVER  
Executive Director

